

ASSEMBLY BILL

No. 701

Introduced by Assembly Member De La Torre

February 22, 2007

An act to amend Section 36516 of the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 701, as introduced, De La Torre. Local agencies: legislative bodies compensation.

Existing law specifies the procedures for setting the compensation of city council members and establishes a compensation schedule based on city population.

This bill would raise the maximum compensation of city council members established in the compensation schedule and authorize city councils to raise the salary in even-numbered years, based upon any cost-of-living increase.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 36516 of the Government Code is
2 amended to read:
3 36516. (a) (1) A city council may enact an ordinance
4 providing that each member of the city council shall receive a
5 salary, the amount of which shall be determined by the following
6 schedule:
7 (1)

1 (A) In cities up to and including 35,000 in population, up to and
2 including ~~three hundred dollars (\$300)~~ *six hundred dollars (\$600)*
3 ~~per month;~~ *month.*

4 ~~(2)~~

5 (B) In cities over 35,000 up to and including 50,000 in
6 population, up to and including ~~four hundred dollars (\$400)~~ *eight*
7 *hundred dollars (\$800)* ~~per month;~~ *month.*

8 ~~(3)~~

9 (C) In cities over 50,000 up to and including 75,000 in
10 population, up to and including ~~five hundred dollars (\$500)~~ *one*
11 *thousand dollars (\$1,000)* per month.

12 ~~(4)~~

13 (D) In cities over 75,000 up to and including 150,000 in
14 population, up to and including ~~six hundred dollars (\$600)~~ *one*
15 *thousand two hundred dollars (\$1,200)* per month.

16 ~~(5)~~

17 (E) In cities over 150,000 up to and including 250,000 in
18 population, up to and including ~~eight hundred dollars (\$800)~~ *one*
19 *thousand six hundred dollars (\$1,600)* per month.

20 ~~(6)~~

21 (F) In cities over 250,000 population, up to and including ~~one~~
22 ~~thousand dollars (\$1,000)~~ *two thousand dollars (\$2,000)* per month.

23 (2) *The salary limits specified in paragraph (1) may be*
24 *increased, by ordinance, every even-numbered year, beginning*
25 *January 1, 2008, based upon the increase in the cost of living for*
26 *persons residing in the city.*

27 For the purposes of this section the population shall be
28 determined by the last preceding federal census, or a subsequent
29 census, or estimate validated by the Department of Finance.

30 (b) At any municipal election, the question of whether city
31 council members shall receive compensation for services, and the
32 amount of compensation, may be submitted to the electors. If a
33 majority of the electors voting at the election favor it, all of the
34 council members shall receive the compensation specified in the
35 election call. Compensation of council members may be increased
36 beyond the amount provided in this section or decreased below
37 the amount in the same manner.

38 (c) Compensation of council members may be increased beyond
39 the amount provided in this section by an ordinance or by an
40 amendment to an ordinance but the amount of the increase may

1 not exceed an amount equal to 5 percent for each calendar year
2 from the operative date of the last adjustment of the salary in effect
3 when the ordinance or amendment is enacted. No salary ordinance
4 shall be enacted or amended ~~which~~ *that* provides for automatic
5 future increases in salary.

6 (d) Unless specifically authorized by another statute, a city
7 council may not enact an ordinance providing for compensation
8 to city council members in excess of that authorized by the
9 procedures described in subdivisions (a) to (c), inclusive. For the
10 purposes of this section, compensation includes payment for service
11 by a city council member on a commission, committee, board,
12 authority, or similar body on which the city council member serves.
13 If the other statute that authorizes the compensation does not
14 specify the amount of compensation, the maximum amount shall
15 be one hundred fifty dollars (\$150) per month for each commission,
16 committee, board, authority, or similar body.

17 (e) Any amounts paid by a city for retirement, health and
18 welfare, and federal social security benefits shall not be included
19 for purposes of determining salary under this section provided the
20 same benefits are available and paid by the city for its employees.

21 (f) Any amounts paid by a city to reimburse a council member
22 for actual and necessary expenses pursuant to Section 36514.5
23 shall not be included for purposes of determining salary pursuant
24 to this section.